

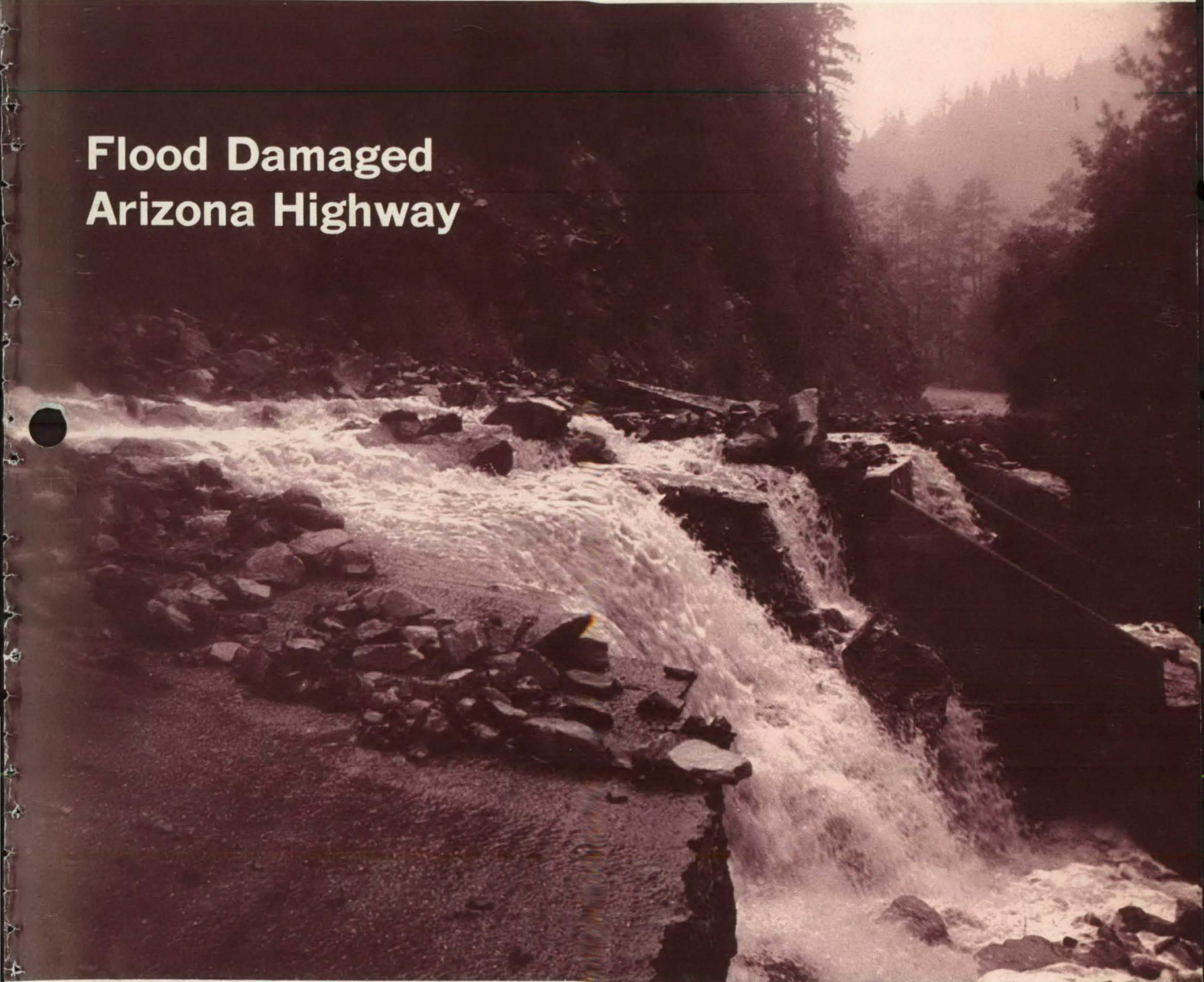
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MAY 1972



# **FBI**

## **LAW ENFORCEMENT BULLETIN**

### **Flood Damaged Arizona Highway**

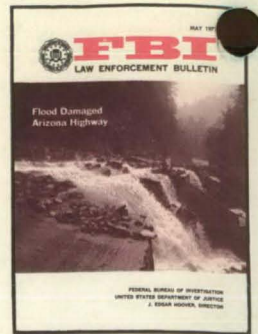


**FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
J. EDGAR HOOVER, DIRECTOR**



MAY 1972

VOL. 41 NO. 5



THE COVER—Arizona Highway Patrol provides emergency services during flash floods. See article beginning on page 6.

# FBI

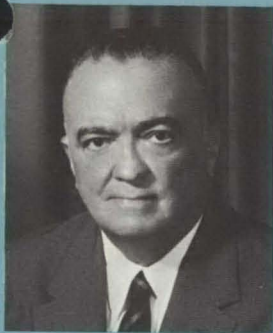
LAW ENFORCEMENT BULLETIN

## CONTENTS

<i>Message From Director J. Edgar Hoover . . . . .</i>	<i>1</i>
<i>Strike Force Against Street Crime, by Richard R. Andersen, Chief of Police, Omaha, Nebr. . . . .</i>	<i>3</i>
<i>Centralization of State Law Enforcement Agencies, by Hon. James J. Hegarty, Director, Arizona Department of Public Safety, Phoenix, Ariz. . . . .</i>	<i>6</i>
<i>Laboratory Examinations of Photo-Related Evidence . . . . .</i>	<i>10</i>
<i>"Side-by-Side," by Insp. Claude W. Dove, Director, Community Relations Division, Police Department, Washington, D.C. . . . .</i>	<i>16</i>
<i>MODEL—Mobile On-Duty Electronic Learning, by Capt. John G. Parsons, Police Department, Beaumont, Tex. . . . .</i>	<i>19</i>
<i>Civil Authority To Arrest Military Deserters, by Insp. Charles A. Donelan, Federal Bureau of Investigation, Washington, D.C. (Part II) . . . . .</i>	<i>21</i>
<i>Bloodhounds: A Tool in Law Enforcement, by Leo J. Castle, Special Deputy Sheriff of Camden County, Camden, N.J. . . . .</i>	<i>26</i>
<i>Wanted by the FBI . . . . .</i>	<i>32</i>

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# MESSAGE FROM THE DIRECTOR . . .

. . . To All Law Enforcement Officials

EXTREMISTS OF ALL STRIPES in our society ceaselessly attempt to discredit the rule of law as being biased and oppressive. They have no conception of—or purposely choose to ignore—its role and history. It is not surprising that these divisive elements concentrate their abuse on the law enforcement officer. Above all, he stands firmly in the path of mindless actions that would reduce our government of laws to mob rule or the whims of lawless men.

To permit such attempts to damage the reputation of our government by law is, of course, a necessary condition of democracy. While it must tolerate the lawfully expressed views of extremists, its citizens cannot through their own ignorance be entrapped with sympathy for bankrupt doctrines that would lay waste the foundations of their Nation.

In observing Law Day, USA, this May 1st, we have an opportunity to view our laws in their proper perspective and appreciate the role they have played in developing our Nation. This day is also a time to renew our obligation of support to law enforcement officers, 126 of whom selflessly gave their lives last year in upholding the law.

Our greatest democratic heritage is the rule of law. It is the foundation for and the guardian of the rights, liberties, and orderly progress we enjoy. It is also the soil that has nurtured the

“American dream” implicit in the Declaration of Independence pledge to provide “. . . Life, Liberty, and the Pursuit of Happiness” for all our citizens.

The tests of time and challenge in our Nation’s history have more than proven the majesty of the law. Were this not so, our country would not have endured its strife to now stand before the nations of the world as a model of freedom and accomplishment. This is not to say the law has always been right, but that it has been organized to ultimately seek justice. Recognition of its power for good is not merely the experience of our nearly two centuries of democratic government. The struggle to insure the rights of the individual and his social organizations by written decree has roots which reach far back into antiquity. The authors of our Constitution were mindful of this legacy when they drafted that historic document.

Nor was the importance of a definitive rule of law lost to the general public of our infant Nation. Worn by the ravages of the Revolutionary War, our expectant forefathers appealed for and got amendments to the Constitution which formed the Bill of Rights—specific guarantees of law that responded to the heart of their grievances. Together the Constitution and the Bill of Rights gave birth to our rule of law and it is the flesh and blood of our Nation.

## MESSAGE FROM THE DIRECTOR

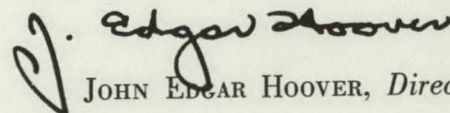
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The law is dynamic because it responds to change as it did for those who argued for and received the Bill of Rights. And our Nation's history has been a chronicle of change. But the process of change in a democracy requires discipline and responsibility that will not unleash unrestrained forces that would rip the fabric of our freedoms. That fabric derives its strength through the warp and woof of laws that orderly guide the process of change by defining our individual and corporate duties. Change in our so-

ciety would otherwise simply result from those who could impose their will on others without regard for the validity of their arguments or the rights of those who do not share their views.

Law Day honors an indispensable commitment of a free society: that democracy be dynamic but not self-destructive. If we do not value this commitment by both honoring and obeying the rule of law, the tyranny of extremists may inevitably result.

MAY 1, 1972

  
JOHN EDGAR HOOVER, *Director*



# Strike Force Against Street Crime

*"The effectiveness of the force was illustrated in one district wherein during a 20-day period in June 1971 over 50 narcotics arrests were made by the Strike Force officers."*



By  
**RICHARD R. ANDERSEN**  
Chief of Police,  
Omaha, Nebr.

The city of Omaha is basically no different from any other urban area where crime problems arise. In spring 1970 we experienced an increase in violations commonly referred to as street crimes—assaults and robberies, mainly strong-arm robberies. We realized we had to take some decisive action to combat the increase in this particular type of crime. As a result, a strike force against street crime was proposed.

We have good standard patrol service on our city streets. These units are deployed in marked police vehicles according to the number of calls for service and the crime load. We found that most of the uniform patrol officer's time is being spent on service calls. Patrol in their districts and observation of persons on the streets were not possible for units answering so many calls for police service. We did not have the resources to increase the marked cars; therefore, we looked for a method of patrolling for the exclusive purpose of preventing crime in specific areas. This new development was instituted with the full cooperation of civic groups in the city, particularly within the districts where the Strike Force would be operating.

## *Selective Enforcement*

We decided on a type of selective enforcement. Selective enforcement is certainly not a new term in police work. It has been used in traffic control for a long time and in criminal work to a limited extent, usually under the names of surveillance or selective patrol. However, it has mainly been used in safeguarding property or in protecting a particular person or persons.

We adopted selective criminal enforcement for use in dealing with suspicious and possible criminal-type persons and for the safety of neighborhood persons. Our use of this



theory is based on the "stop and frisk" rule, which is set forth in a basic State statute. What we are trying to do is exactly what foot patrol officers used to do in neighborhoods, but on a larger and more efficient scale.

The mere presence of a police uniform might deter a criminal, but it only deters him from his act for a short period of time. The main drawback is that no identification of a deterred criminal can be made. Yet, the uniform is necessary when direct police action is taken on the street so that citizens will understand that it is a legal police action.

To solve some of these problems, we planned a method of patrol where the uniformed officers would use unmarked cars. We felt that because officers do not wear police caps while on patrol in a vehicle, the unmarked vehicle would not readily be recognized as a police unit. Yet, when the officers noted a suspicious or unlawful action, they could leave the car and obtain instant police recognition. The cars were to be assigned in a geographical area as a group to maintain this type of patrol during the high-crime hours, 6 p.m. until 2 a.m., on the five nights of the week when the incidence of crime is greatest. In the event of nonprevention of a crime, we would expect apprehension of suspects during the commission of the crime or immediately thereafter.

The planned unit itself would not be extremely large, manpowerwise. It would have five 2-man patrol cars with a sergeant as supervisor working one section of the city and an identical unit working a second section of the city with a lieutenant as a field command officer and supervisor for both groups.

### **Three Needs**

We had three needs before we could initiate this type of operation. One was the manpower as this would mean

officers would not be available for routine district patrol. This was solved through the use of a Law Enforcement Assistance Administration (LEAA) grant to hire additional officers.

The second need was the special training of these officers. Even though all officers are trained, we felt these officers should be especially proficient. There is a fine line which must be maintained between high surveillance patrol and harassment. This training was obtained through the cooperation of both our city and county prosecutors. All officers received detailed training in automobile search and seizure, application and the use of the State "stop and frisk" statute, and the use of the city ordinance entitled "Loitering or Prowling," which is based on a similar ordinance in the model penal code.

The third need for the patrol was the equipment. We found this to be minimal. By using our unmarked cars, we were tapping a resource not previously used to its fullest extent. During the evening and night hours we had many unmarked automobiles that were not in street use because most of our investigators work during the daylight hours. The cars were not used by patrol sections at night. By using these vehicles, we increased our patrol units on the street without the purchase of additional motorized equipment.

All cars are equipped with a three-way, eight-channel radio. In addition, each auto has a portable radio for use by the officers when they leave the vehicle. Two portable lights are used. One is a white, high-powered spotlight which works off the dash of the vehicle, and the second is a red, blinker type which works as a police stoplight. Weapons carried are standard equipment. Officers are armed with .38 caliber revolvers and mace. All cars are equipped with a shotgun as standard equipment.

The officers are totally relieved of the responsibility for answering service calls. They only respond to radio assignments if a major crime occurs in the district where they are working at the particular time. They systematically station themselves in the area and make every attempt to apprehend the suspect. All other work involves observations made in the district and followup of all problems described to them in meetings with neighborhood community groups.

### **Civic Involvement**

The Strike Force does not work a district without first contacting the civic groups having a definite interest in the crime problems of the district. Complaints regarding certain areas, houses, and conditions are taken into account by the Strike Force for followup investigation during the period of assignment, which usually is 30 days.

Results are checked by computer printouts comparing the crime rate a year prior, the crime rate immediately before the Strike Force works in a district, and the rate during the period just after the force leaves the district. We have noted a decrease in crime in the areas where the force is actively working. After the officers move to another territory with no publicity concerning the change, the effect of their recent presence continues in the district.

The effectiveness of the force was illustrated in one district wherein during a 20-day period in June 1971 over 50 narcotics arrests were made by the Strike Force officers. These were individual street arrests and not mass arrests from a commune or a squad-type raid. All these arrests were the result of observation of suspicious activities and typical police inquiry under the "Loitering and Prowling" ordinance.



Crime in Omaha was down 4.6 percent for 1971 compared with 1970 figures. Certainly the Strike Force cannot be credited for the total drop, but I do feel that it had a definite impact.

The contacts with citizens' groups concerning their problems and the followup reports have made a definite improvement in the citizen-police relationship. As part of community relations in this project, pamphlets have been printed and distributed throughout the city and at meetings to advise the people what the purpose of the Strike Force is and what its goals are.

The Strike Force was initially operated under an LEAA grant; and we plan to continue the project indefinitely as its worth in crime prevention far outweighs the allocation of resources.

### Call "911"

While talking about our Strike Force Against Street Crime, I should date another public service initiated in Omaha. I am referring to our "911" telephone emergency number installed in the metropolitan area. We handle the "911" emergency calls for 37 jurisdictions covering two counties. This covers all emergency requests for police, fire, or ambulance service. Our "911" emergency number became operational on May 10, 1970. It answered many problems, for people only have to remember one number in calling for any form of government emergency service. However, this, in turn, created another problem for our department.

As soon as our "911" center became operational, our calls for service by police units within the city increased by approximately one-third. As anybody in police service realizes, this is a tremendous increase in service calls; and it took a large amount of available time from our standard field control units. This, in turn, cut down routine patrolling or preventive pa-

trolling by the standard uniform field units. It increased the need for the operation, Strike Force Against Street Crime. However, the service that "911" has provided for the residents of the metropolitan area far outweighs any problems that it has created. In many cases where incidents apparently had happened before, we had not received any calls from citizens. We are now receiving from one to five calls on suspicious incidents in neighborhoods.

One of our policies in handling "911" is that we do accept anonymous calls from citizens who give us information about a suspicious happening or a suspicious party present at an address or a location at the time. We do dispatch police units on this type of call. Since I know this is a policy decision that would be subject to much argument among police administrators in this country, I would like to clarify it.

We have a safety feature built into our "911" system. Now, through technical equipment, when a person calling the "911" center hangs up, he does not disconnect the line. We have what is known as "hold and re-ring" capability. When people call in an emer-

gency situation, they sometimes hang up before they give a correct address or, in fact, any address at all. Through the use of "hold and re-ring," we can ring the phone on the other end and clarify or obtain additional information. In the event there is no answer when we ring back, the call can be traced through the facilities of the telephone company. Cars can be dispatched to the scene of the call to attempt to locate the problem.

The use of this type of equipment virtually eliminates the problem of crank calls. We are receiving only one or two a day at a maximum. With this safety feature, we feel that we can dispatch units on anonymous calls of criminal or suspicious activities. However, we do advise the field officers that the call is anonymous and they proceed accordingly.

We give further credit to the "911" system for our decrease in crime. We had a large publicity campaign under the title of "Crime Check" in connection with the "911" system and requested people to call us on any unusual activity they see in their neighborhoods or around their residences or businesses. As a result, we are having citizens call us far more often than

*(Continued on page 30)*

Chief Andersen explains communications center operations to FBI Assistant Director Joseph J. Casper and Mr. Fletcher D. Thompson, Special Agent in Charge of the Omaha FBI Office, during their recent visit to Omaha Police Headquarters.





# Centralization of State Law Enforcement Agencies

By

**HON. JAMES J. HEGARTY\***  
Director,  
Arizona Department of Public  
Safety,  
Phoenix, Ariz.

**D**uring the past decade Arizona's population has increased 35 percent as compared with the 14 percent national average increase. Arizona's motor vehicle registrations totaled 1.3 million last year, and the average annual increase is estimated at 6.2 percent. By 1980 the motor vehicle registrations will have almost doubled the 1970 statistics. Passenger cars entering Arizona in 1970 increased 15 percent over the previous year. The phenomenal growth of recreational areas and retirement communities, among other factors, has speeded Arizona's growth rate to third in the Nation. Phoenix, the capital city, is now the 20th largest city in the United States.

Prior to 1969 Arizona's law enforcement responsibilities were decentralized and fragmented at the State level, with highway patrol, liquor enforcement, and narcotics enforcement and investigation charged to three separate State-level agencies. In addition, many support services for law enforcement agencies were nonexistent at the State level; State and local-level police agencies had to rely on con-



tracting for these services with private firms, using some Federal agencies' services when possible, or doing without. Arizona's need for a centralized, State-level public safety agency, with criminal investigation and scientific support services added to the existing functions, was recognized by the Governor's Crime Commission in 1967.

In order to implement the recommendations of the Crime Commission, the Arizona Legislature of 1968 adopted a plan whereby the criminal identification section, which was at that time housed at the State prison,

would be transferred to the Arizona Highway Patrol in July 1968.

The legislature, in addition, provided for the creation of the Arizona Law Enforcement Officers Advisory Council, a group which would be charged with the development of mandated training and training standards for persons in the police field in State. The training staff, under the guidance of the council, was to consist of instructors from the Arizona Highway Patrol Training Academy. The legislature further provided that, in 1969, the Governor, by executive proclamation, could create the Department of Public Safety. This plan provided for a gradual transition from the splintered effort to an integrated State agency and also allowed adequate lead time for the necessary planning.

Becoming operational on July 1, 1969, the Department of Public Safety was legislatively charged to provide the services of the highway patrol, narcotics enforcement, liquor enforcement, criminal investigation, scientific criminal analysis, and statewide training for officers at State and local levels.

The overall goal of Arizona's Department of Public Safety is to facilitate the administration of criminal justice by providing the services nec-

\*Mr. Hegarty received his B.A. degree from Arizona State University and his law degree from the University of Arizona. He joined the Arizona Highway Patrol on June 1, 1958, and was appointed superintendent in March 1967. He assumed his present position on July 1, 1969.



ry for efficient and effective law enforcement, in addition to highway, narcotics, and liquor law enforcement.

The department is organized on a divisional basis; however, to illustrate the services provided, this article will make individual references to the functional areas involved. These areas of service include: training, communications, computer services, scientific criminal analysis, criminal investigation, and criminal identification. Since the State legislature has provided State funding for all of these services, there is no cost to the political subdivisions of the State.

Each of the following sections will briefly describe the responsibilities of the major functions of the Department of Public Safety.

### ***Criminal Investigation Division***

The criminal investigation division of the Department of Public Safety is committed to strengthening Arizona's capability to suppress or eliminate crime in various criminal activities. It has the responsibility for enforcement of statutes relating to alcoholic beverages, narcotics, and drug abuse; the collection, evaluation, interpretation, and dissemination of criminal intelligence information; and the providing of expert investigative services to the other divisions of the department, as well as to other law enforcement agencies which have need for specialized resources.

Such widespread responsibility entails a multiplicity of specialized areas of investigation and services. Some of the most important of these are narcotic violations investigations, assistance to other agencies in both service and training, and helping in drug abuse educational programs. Other primary responsibilities are liquor law violations investigations, and the collection, evaluation, interpretation, and dissemination of intelligence information relative to organized

crime, campus violators, and civil disturbance.

In order to give appropriate dissemination to intelligence information, the Organized Crime Prevention Council has been formed in Arizona. Its membership includes the attorney general of the State, the chiefs of police of Phoenix and Tucson (the major cities in the State), one sheriff, and the county attorney from the largest populated county in the State, as well as the head of the State Justice Planning Agency and the director of the Department of Public Safety. This council uses the Department of Public Safety as a repository of information and as a focal point from which to direct statewide activity in this area.

Some of the specialized investigative resources that the Department of Public Safety makes available to other law enforcement agencies include expert handwriting and questioned document analysis, polygraph examinations, and general investigation. These services are available to any law enforcement agency requesting assistance in the investigation of a crime.

An illustration of the broad service-based approach to law enforcement is the program, jointly planned and developed by law enforcement officers of our department and educational specialists of the department of public instruction, to acquaint high school teachers in Arizona with the total drug problem. The teachers were urged to implement a continuing drug education program during the formative years of the young citizens of our State.

### ***Criminal Identification Services***

Ninety-four Arizona agencies used the services provided by the criminal identification section during 1970.

A local or toll-free WAT line telephone call results in a manual search of record files plus a computer search

for record/want checks. The call permits access to the entire criminal identification section's record system, the Arizona Crime Information Center (ACIC), and the FBI National Crime Information Center (NCIC) for those local agencies that do not have direct lines. From October 1969 through September 1970, a total of 67,901 inquiries, consisting of 26,000 fingerprint and 41,901 name checks, were received.

The criminal identification section runs individual name checks and can produce criminal history and status of any record on file. At the request of local agencies, the section enters identifiable serial-numbered stolen items into the NCIC system property file and checks computer files to determine if suspect items have been reported as stolen.

Most of the reported data concerning the arrest of an individual is included in the computerized file so that it is easily accessible for statistical evaluation. The criminal identification section is working on the implementation of a uniform crime report (UCR) that would be relevant to the local law enforcement agencies and interface with a national UCR system. The section provides, on request, assistance to local agencies in the form of technical experts at crime scenes and examination of evidence for latent fingerprints. Fingerprint searches, comparisons, and courtroom testimony are also available.

In the development and implementation of this program, the Department of Public Safety has a firmly established goal to continually upgrade and increase its service capabilities to the total criminal justice community.

### ***Highway Patrol and Safety***

The uniform division contains the largest number of department personnel. They are assigned to patrol the



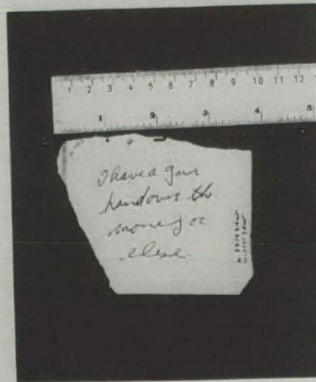
STATEMENT OF OFFENSES  
NEW YORK POLICE DEPARTMENT

DATE: 11/24/78  
FBI: 448  
FINGER: 1014  
PLACES: 1014

STATEMENT OF: [REDACTED]  
ADDRESS: 441 Niagara Square, Buffalo, N.Y.

Section one says defendant I will inform you that you have the right to remain silent. Anything you say can be used against you in a court of law. If you cannot afford a lawyer, one will be appointed for you before any questioning if you cannot afford one. If you are arrested or under arrest, you must tell the truth. Anything you say can be used against you in court. If you refuse to answer questions, you will still be given the right to stop answering at any time. You will understand and know your real rights. You have made to have the above rights explained to you in your own language. You have read this statement of your rights and you have identified themselves as no officers of the New York, Arizona or any other law enforcement agency.

I want through the [REDACTED] grade to school and do understand the English language.



I have a gun  
hand over the  
money or else

I have a gun  
hand me the  
money or else

I have a gun  
land once the  
money or else

I have a good  
hand over the  
money or else

I do hereby swear that I have read the above statement in its entirety (or, it has been read to me in its entirety), and that it is a true, full and complete statement to the best of my knowledge and recollection. I have initialed each sentence and all items contained herein.

**Handwriting (left) and the demand note (right) of a suspect in a supermarket holdup led, after their examination by a document expert, to his guilty plea.**

highways of the State and enforce traffic and criminal laws. They investigate accidents and make recommendations to State traffic engineers when appropriate. With the overall goal of accident prevention, the division is vitally interested and participates in innovative and progressive programs intended to promote highway safety and reduce accidents. In addition, the highway patrol realizes the inherent value of voluntary compliance with

traffic laws by an informed traveling public and therefore is deeply involved in a variety of educational programs.

The uniform division has experimented with various methods of enforcement and assignment of personnel. It is currently using a technique referred to as the "game plan," which deals with the increased assignment of personnel to high-accident-frequency areas. The game plan is somewhat distinctive from the ordinary

selective enforcement approach because it stresses the assignment of personnel to a problem area rather than the enforcement of a particular law or a "crack-down" approach. Because all highway patrol officers in Arizona are encouraged to concentrate on accident-producing violations at all times, this aspect of traffic law enforcement automatically becomes an integral part of the game plan. Although the game plan has proved effective for its intended use, it is accomplished at the expense of absolute minimal coverage on highways that are outside of the game plan area.

The highway patrol and the Phoenix Police Department are jointly involved in a pilot project, entitled "Alcohol Countermeasures Safety Program," funded by the National Highway Traffic Safety Administration. The program is aimed at combating the drunken driver on the 25-mile stretch of urban Interstate 17 within the city limits of Phoenix. This program involves specially trained patrolmen with the most modern equipment available. For a 31-month period, they will concentrate primarily on apprehending the drunken driver.



Typical of the services the Department of Public Safety renders local agencies is the lifting of latent fingerprints from this vehicle window glass in a case involving seizure of marihuana.



The highway patrol has the further responsibility of providing whatever emergency services are necessary under proclaimed emergency conditions, of providing aid to protect life or property upon request from counties or municipalities, and, upon approval by the Governor, of providing requested police security on or in the vicinity of any State property. Arizona State law provides full police power to all officers of the Department of Public Safety.

### **Scientific Criminal Analysis**

The Department of Public Safety Crime Laboratory is available any time to all local law enforcement agencies in the State. These laboratory services are essential to effective law enforcement and success in complicated investigations. As recent Supreme Court decisions suggest, law enforcement agencies must depend upon accurate scientific analysis of crimes; therefore, the value of the crime laboratory has become increas-



A training session in basic curriculum for officers is conducted by the Department of Public Safety's training staff, under the guidance of the Arizona Law Enforcement Advisory Council.

ingly apparent. The laboratory is currently serving 76 agencies in Arizona. Over 50 percent of the crime laboratory's activity is performed at the request of local-level agencies in the 14 counties and 62 incorporated cities in Arizona.

The range of services presently offered by the department's laboratory include:

Analysis and identification of narcotics and dangerous drugs.

Analysis and identification of liquor.

Serial number restoration.

Hair and fiber comparisons.

Blood identification (wet or dry stains) including origin and group classification (human or animal primary blood groups).

Seminal stains identification and typing.

Ballistic comparisons, including bullet firing pin and ejector mark matching.

Powder patterns (shot distance) determinations on clothing.

Toolmark and miscellaneous gross and microscopic physical comparisons.

Foreign particle and smear comparison (safe insulation, plaster, grease, wood, etc.).

As the State crime laboratory grows, more extensive classification reference files are being developed. These files furnish information to enable the laboratory chemists to make evaluations and comparisons of physical evidence.

(Continued on page 30)

Crime laboratory chemists unload 713 kilos of marihuana confiscated during a narcotics raid.





# LABORATORY EXAMINATIONS OF PHOTO-RELATED EVIDENCE

**F**BI Laboratory examination of evidence relating to photography often results in the identification of exposed film of questioned origin with the camera in which it was exposed, the detection of a forged or composite photograph, the identification of a known subject with a photograph of an unknown individual, and numerous other determinations. These types of comparisons are not as well known as the identification of fingerprints, handwriting, bullets, and shoe prints, but they can be equally effective in obtaining a guilty verdict.

The positive identification of film with the camera in which it was exposed is one of the most frequent photo-related comparisons made in the FBI Laboratory. It is often used to identify a recovered camera with film exposed by the individual from whom it was stolen. Many such cameras have the serial numbers filed off or otherwise obliterated beyond restoration, or the owner has no record of the serial number and can only report that the stolen camera was one of the same make or type as the recovered camera.

## ***Exposed Film***

These identifications are based on the comparison of the recovered camera with the exposed film since the individual characteristics of a camera are recorded on film exposed in it. In one such identification based on the characteristics of a movie camera and the record of them on film obtained from the victim of a theft, in addition, a hair was found fluttering along one side of the projected pictures. Examination of the camera revealed the hair still attached to the

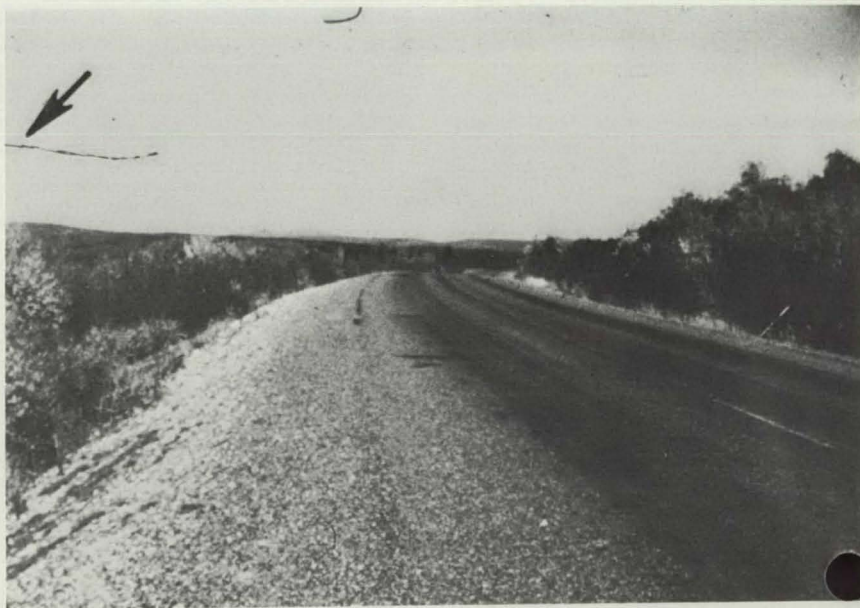


Figure 1a.—Picture from victim's film.

Figure 1b.—Exposure from camera recovered from suspect.





terior of the film port. (See figs. 1a and 1b. Arrow indicates hair.) If the recovered camera cannot be furnished for these examinations, a film known to have been exposed in the camera can be used for the comparison. In

other investigations it may be necessary to determine whether two or more films of questioned origin were exposed in the same camera. This comparison can be made without the camera.

It is also possible in some instances to determine the make of camera in which a film was exposed since some camera manufacturers use code marks that are recorded on the exposed film. While this camera-marking procedure is not universal, it has been used in motion picture cameras and in at least one 35 mm. camera.

### Camera Types

This type of camera identification cannot be applied to the Polaroid cameras or the cameras using a cassette load, such as the Instamatic, since the Polaroid paper negatives and Instamatic film cassette preclude the transfer of significant characteristics from the camera to the exposed film. Sometimes there are other methods of identification applicable to these types of cameras. In a kidnapping investigation by the FBI, a Polaroid picture of the victim and the victim's ring were sent to the father as proof that the family was negotiating with the actual kidnaper. A Polaroid Swinger camera was later recovered from the suspect's possessions and positively identified with the print sent to the family. This was possible only because the picture sent to the father was the last one taken with the suspect's camera, and the torn edge of the photograph of the victim matched the torn edge of the film still in the camera. (See figs. 2a and 2b.)

It should be noted that these camera and film comparisons usually require the actual film and cannot be made from prints or enlargements made from the film.

### Reproductions

Regarding the masking of prints or enlargements to create the white borders, it is often possible to definitely associate a photograph with the equipment used in its preparation since the printer or enlarging easel

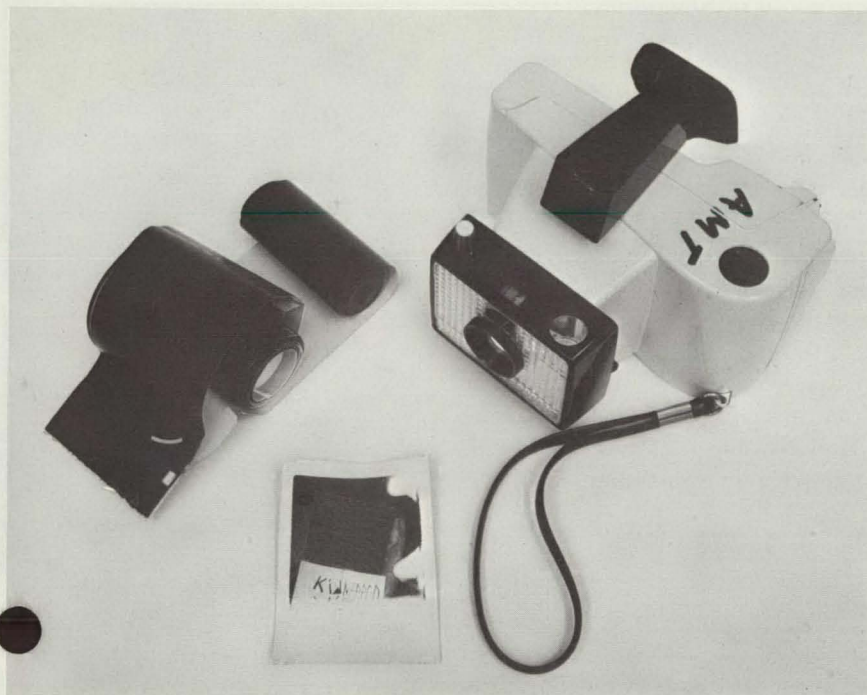
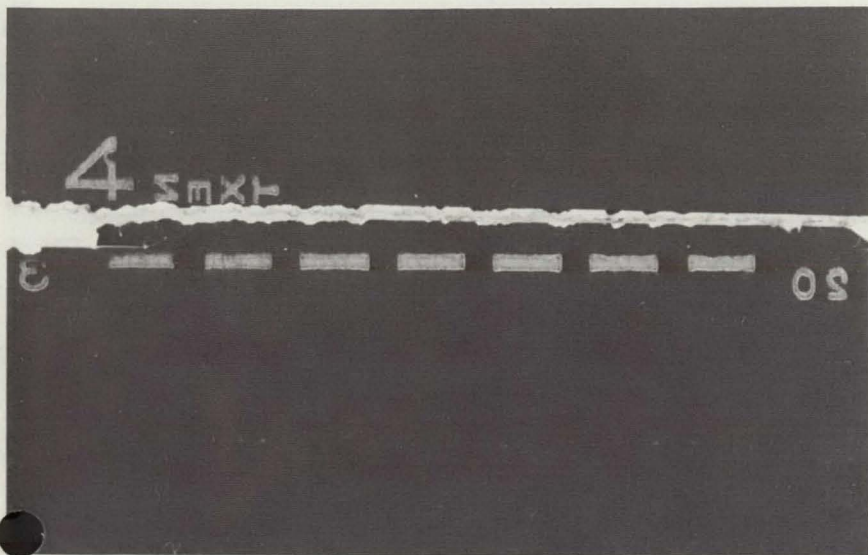


Figure 2a.—Identification of Polaroid picture with suspect's camera.

Figure 2b.—Top is edge of film from suspect's camera; bottom is edge of photograph of victim.





may contain characteristics sufficient to support identification. In one such case a large number of obscene pictures were traced back to the supplier, and the prints were positively identified as having been exposed in an enlarging easel in the photographic darkroom of the suspect. It has also been possible to specifically mark photographic equipment so that the marks will show on any negatives or prints made thereon.

In the investigation of cases involving obscene motion picture films, it is sometimes essential to establish the origin of the films. The vast majority of such films are copies, and in most cases they are several copying generations away from the original film that was exposed in a camera. It is common practice for suppliers of these motion pictures to obtain films and make "master negatives" from which they make numerous copies for distribution. When master negatives are recovered during an investigation, they can be compared with copies believed to have been printed therefrom. Any foreign substances, scratches, or other characteristics in their original state that are on the master negative and that are reproduced photographically on the copy will prove that the copy could only have come directly or indirectly from that negative. It is seldom possible to eliminate the term "directly or indirectly" from these conclusions since further copying of any direct copies will carry the characteristics of the first master negative from copy to copy. The degree of clarity of the reproduction of these characteristics will permit an estimate of the existence of an intervening step since the characteristics would be more distinct on a direct copy and would lose definition with each additional copy.

Additional information available on many films is the code marking of the manufacturer. This gives not only the make and type of film but also

may give the year the film was made. The determination of the age of a photographic negative or print is most difficult and usually not possible unless the paper contains a code marking of the manufacturer or the processor.

### **Forged Photographs**

Photographs that are suspected of being composites (forged photographs) can usually be detected through FBI Laboratory examination. Microscopic examination often reveals retouching marks not visible to the unaided eye. In the absence of retouching marks or other characteristics showing a face or other portion added to a picture, a study of the lighting on the faces may show one with lighting from a slightly different angle indicating that the picture is a composite. A difference in definition, grain pattern, or other qualities would also suggest photographic forgery.

The paper negatives discarded after Polaroid prints have been processed are often recovered at a crime scene or otherwise obtained during investigation. It is usually possible to establish enough of the image on the paper negative to be of value. In one instance a camera shop accepted a check in payment for a Polaroid camera

after the salesman demonstrated camera by taking a picture of the buyer. On learning that the check was fraudulent, the salesman retrieved the paper negative from the wastebasket. Application of appropriate restoration techniques to the paper negative resulted in a good photograph of the subject. These techniques included cleaning and photographing the paper negatives (using infrared or other special lighting) to obtain the best reproduction of the contents of the negative.

The comparison of a photograph of an unknown individual with known



Figure 3a.—Questioned photograph.



Figure 3b.—Known photograph.



Figure 3c.—Known photograph.



Photographs of a suspect can result in a positive identification. These examinations of photographs are based on a study of the contours and peculiarities of the facial features. (See figs. 3a, 3b, and 3c. Arrows indicate points of comparison.) The shape of the nose, ears, and chin, the hairline, and all other visible areas of the face are compared. The similarity in only general characteristics in facial contour is usually not sufficient to support a positive identification because there are many people who "look alike." For this reason, it is essential to have some marks of a more individual nature, such as scars, blemishes, or other such peculiarities. The need for these additional points of identification is shown by a recent bank robbery case in which the photograph taken in the bank during the robbery was displayed to a suspect. The suspect's response was, "That is a picture of me, but I did not rob the bank." Further investigation identified another individual as the bank robber and established that the picture was, in fact, not a photograph of the first suspect.

### ***Accurate Comparisons***

Known photographs to be compared with the pictures of unknown individuals should be taken from the same angle of view since the facial contours vary when viewed from different angles. Only a limited comparison can be made using the standard front and profile mug photographs unless the picture of the unknown individual is a front or profile view. The lack of sufficient detail in most bank camera and Regiscope photographs makes positive identification most difficult. They often do not show the essential scars and blemishes that would support an identification.

In the absence of significant facial detail for identification, consideration should be given to an examination of the clothing. If the clothing of the sus-

pect is generally similar and can be obtained for laboratory comparison, examination of it may result in a positive identification. In one such case where the faces of the bank robbers were masked, one of them was positively identified on the basis of some stains on his shoes that were visible in the bank photographs.

The photographs to be compared do not always involve facial features. A valuable piece of jewelry recovered from a theft suspect was compared with a photograph of the jewelry. The original owner had worn it for a recent portrait. The negative of the picture was obtained from the photographer and the jewelry portion enlarged for the comparison with the recovered jewelry. Similarly, a valu-



Figure 4a.—Coin recovered from suspect.



Figure 4b.—Victim collector's photograph.

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***"The investigator should be alert for . . . examinations that could give answers to the who, what, where, when, or why of a case."***

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able coin offered for sale to a coin dealer was suspected of having been stolen from a local collector during a robbery of his residence. Fortunately, the collector had photographed his most valuable coins, and the one offered to the dealer was positively identified as the stolen coin on the basis of a comparison of the photograph with the suspect coin. (See figs. 4a and 4b. Arrows indicate points of comparison.)

### ***Motion Pictures***

Photographs or motion picture films can also be studied for evidence of misrepresentation. Such examinations usually involve advertising photographs where the items shown are not as represented. In one television commercial the narrative described the distorted view being shown as typical of one make of automobile and then described a subsequent undistorted view as being from the car being advertised. Examination of the films established that both were taken through the same car window area—the distorted view with the window up and the clear view with the window down. (See figs. 5a and 5b.) Some of the distorted pictures were made with a telephoto lens which magnified the distortion while the undistorted photographs were made with a standard focal length lens. (See figs. 6a and 6b.) In another series of photographs showing before and after use of a hair-growing preparation, examination revealed that the before photographs were well lighted and the hair shown





Figure 5a.—Distorted view with window up.

Figure 5b.—Undistorted view with window down.



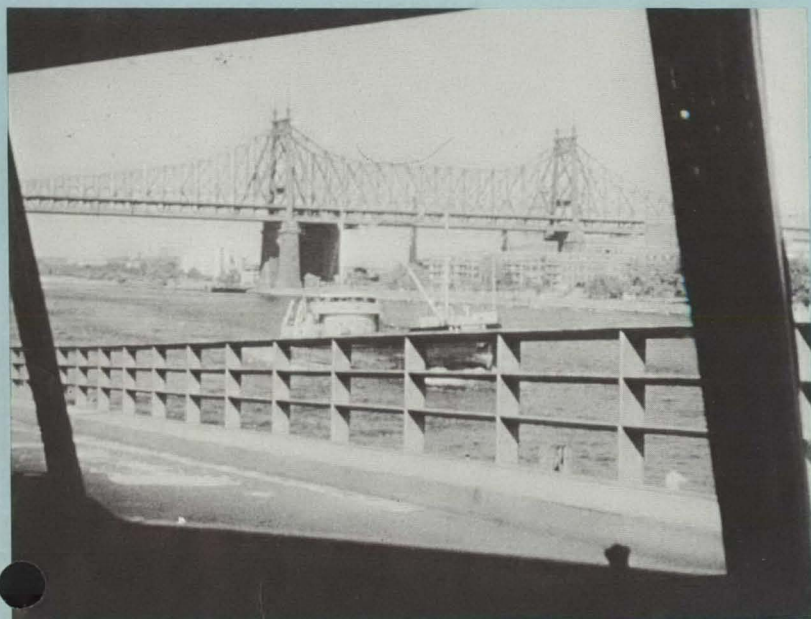




Figure 6a.—Distorted view with telephoto lens.

*"Some of the distorted pictures were made with a telephoto lens which magnified the distortion while the undistorted photographs were made with a standard focal length lens."*

Figure 6b.—Undistorted view with standard lens.




was moist or oiled and combed with a coarse comb to show as much absence of hair as possible. The after photographs were taken with the hair drier, combed with a finer comb, and lighted to increase the shadow area and create the impression of more hair.

### **Enlargements**

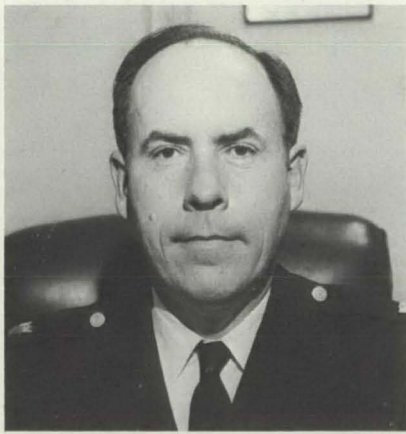
In cases involving the burning of draft cards or the tearing down or burning of the flag, FBI Laboratory experts often examine film taken for the purpose of recording the activity. These films, obtained from amateur photographers or the news media, can sometimes be enlarged sufficiently to establish that the card was, in fact, a Selective Service Notice of Classification card or similar document. The enlargement will often reveal significant portions of the name or other descriptive information on the card. (See fig. 7.)



Figure 7.—Draft card being burned.

There are many photo-related comparisons that can be made in the FBI Laboratory to assist the investigator in the solution of his cases. The types described in this article represent some of the most common. The investigator should be alert for these and any similar examinations that could give answers to the who, what, where, when, or why of a case. 





## Police-Community Relations—

By

**INSP. CLAUDE W. DOVE\***

Director,  
Community Relations Division,  
Police Department,  
Washington, D.C.

# *“Side-by-Side”*



Inspector Howard introduces each member of the band along with his instrument.



Police departments worldwide constantly search for new ideas in establishing better community relations, especially with young people. In 1964, the Metropolitan Police Department of Washington, D.C. (MPDC), responded to this challenge when it launched a program with a totally new approach that is youth oriented through the medium of music.

Today, police officers realize that fighting crime involves more than just arresting offenders. They are using all available tools and facilities to bring about better conditions for the entire community. With this in mind, the MPDC Police Band entered a new area specifically aimed at the younger generation: musical presentations to the school children of the District of Columbia.

The "Side-by-Side" Program is a musical presentation given to public and parochial school students during the regular school year. Insp. George F. Howard, director of the MPDC Band, conducts and coordinates the presentations, and credit for the conception of this educational tool goes to him.

"Side-by-Side" took its name from the practice of having students who play an instrument sit beside a police officer who plays the corresponding instrument. On October 24, 1964, this special section of the MPDC Band gave its first performance to a vibrant young audience of Washington school children. This was the first of numerous performances, which always open with an officer and two students advancing the colors to the cadence of drums. Shortly afterward, the National Anthem is played, and each member of the band and vocal group along with the instruments is intro-

duced. Often this is accomplished by a musical "typewriter," with each member of the band and vocal group representing a different key on the "typewriter."

As classical, folk, rock, soul, and swing music is played, the students get more into the mood of the scene. Later a duo or trio may come forward to vocalize while several other officers invite students to dance with them. The other students are clapping, stomping, and singing along. It is not uncommon for principals, teachers, and invited guests to join in with the students and officers to dance a few quick steps.

The concept of such a program grew from the idea that students need to see the many facets of the police officer's role. In this type of musical presentation, the student is in close contact with the officer; the atmosphere is relaxed as a rehearsal moves into the actual performance for the entire stu-



Each program opens with an officer and two students advancing the colors to the cadence of drums.

### *"Man, where'd you learn to play that horn?"*

During rehearsal a police officer helps a student with a difficult measure on the trumpet.



\*A native of Washington, D.C., Inspector Dove served in the U.S. Army Military Police Corps during the Korean conflict. He was appointed to the Metropolitan Washington Police Department in 1952, progressed through the ranks, and assigned to his present position in 1970.



dent body, faculty, and invited guests. Each performance is preceded by a rehearsal with the students who play corresponding instruments if the school has a band or orchestra. It is not unusual to see a police officer assisting a student in straightening out difficulties with his instrument. And soon we find an officer and student wrapped in close attention and solving a common problem.

Barriers are beginning to break down, with each accepting the other as he is and not in the stereotyped concept of a "cop," "pig," "fuzz," or "the man." Finally comes the realization that the only difference between the student and the officer is a blue uniform. The door is opened to broader thoughts and deeper concepts of who "the cops" are that dress in blue, carry pistols and handcuffs, and have the official power to restrict another human being's movement. Once the door has opened, the student can see the varied sides of law enforcement. The officer stands tall in all types of service to the community, for service is the key word in the police officer's profession.

Another opportunity for communication comes after a morning show, when the officers have lunch with the students and faculty. As they "break bread together," the students see yet another side of the officer.

Music definitely becomes a common denominator. Entertainment seems to be the prime object, but actually it is secondary. The primary object of the musical presentations is an educational tool. It is a positive tool in establishing better police-juvenile relations.

As the presentation breaks up, many students take the opportunity to talk with some of the officers. Their discussions, comments, and questions run the full gamut of life. They have discovered that officers, both men and women, have interests similar to theirs; they have found the human



The Metropolitan Washington Police Department Band presents the "Side-by-Side" Program to an assembly of school students.

side of these officers that, for the most part, does not come through under normal everyday police activities. They have also found smiles, laughs, and a lighthearted spirit as part of the role of the police officer. This is a major step forward. As the noise subsides, you can hear comments such as "Hey, you're just like my older brother" or "Man, where'd you learn to play that horn?" Later, these same students will carry their experience with the officers into the home and community, and more and more people are reached.

The "Side-by-Side" Program

reaches out to our youth and gives them an opportunity to see another side of the police officer's life. "Side-by-Side" has proven to be an invaluable steppingstone in developing stronger community relations with the youth of Washington, D.C.

National recognition was given to this program by the Freedoms Foundation at Valley Forge, Valley Forge, Pa., in July 1968. This cherished award was presented to the MPD Band for its contribution in opening greater opportunities for communication between the youth and the police.

Another opportunity for communication comes when the officers have lunch with the boys and girls.





*In view of the importance courts attach to an arresting officer's technical error, police training in law and in precedents established by the courts is essential. To provide his department with a training program both efficient and reasonable in cost, the chief of the Beaumont, Tex., Police Department has come up with an innovation.*

## MODEL—Mobile On-Duty Electronic Learning

By  
**CAPT. JOHN G. PARSONS**  
Police Department,  
Beaumont, Tex.



A common problem in police departments across the Nation is adequate training for the police recruit as well as sustained retraining for the veteran officer. In smaller departments this problem is compounded by a critical shortage of personnel when men are removed from service and placed in a classroom.

As training officer for the Beaumont, Tex., Police Department, I was frequently faced with this frustrating choice between equally unsatisfactory alternatives. Then in spring 1970 my commanding officer, Chief of Police Willie Bauer, offered a provocative idea. He suggested a training concept in which brief segments of training material would be taped and played over the air to patrol units in the field.

The often lonely hours of preventive patrol would be constructively used, the trainee would remain in service, and the relative cost to the taxpayer would be quite reasonable. The chief asked me to think about the idea and give him my suggestions and criticisms of such a training approach.

### *Feasibility Study*

In the meantime Mr. Bauer continued to investigate the feasibility of such a program and discovered that, while the concept is simple, the implementation would be somewhat more involved. First, a separate frequency other than the operational emergency frequency would be required, and this, of course, involved the Federal Communications Commission (FCC).





Chief Willie Bauer.

On July 29, 1970, Chief Bauer and the former assistant city attorney for Beaumont met with representatives of the FCC in Washington. They learned at this meeting that, while such a special frequency is not specifically prohibited by FCC rules and regulations, neither is it authorized, indicating at least that the training frequency is innovative. The chief was asked to prepare a formal request with a detailed explanation so that the members of the Commission could review it at one of their next meetings. The formal request was submitted to the Commission in August 1970.

While in Washington, Chief Bauer approached the FBI with the idea. The FBI assured him of its continuing cooperation in all training matters. The chief said he would ask for aid from FBI instructors in preparing some of the training materials. Following his return to Beaumont, Mr. Bauer got a favorable reaction locally from the Jefferson County Law Enforcement Council and the Texas Criminal Justice Council. All agencies consulted urged the chief to pursue such a project because of its regional impact. "Mobile On-Duty Electronic Learning," the acronym for which is MODEL, had received the moral support necessary for a vigorous effort to see it come to realization.

The Texas Criminal Justice Council urged Chief Bauer to apply for an action grant from the Law Enforcement Assistance Administration (LEAA) under the Omnibus Crime Control and Safe Streets Act of 1968. Such an application was, of course, subject to the approval of a frequency from the FCC.

### Authorization

On November 20, 1970, the chief received word from the FCC Safety and Special Radio Bureau that the Commission would authorize a frequency for 1 year on an experimental basis. In addition, the Commission would require at the end of the year a complete evaluation study to be used in determining the effectiveness of the frequency and as a basis for an extension of its approval.

Through the Texas Criminal Justice Council, application was made for a Federal grant which was approved. The duration of the project is 26 months, from August 1, 1971, through September 30, 1973. Funds received under the grant from the LEAA total \$213,597, and the total project cost is \$249,816. The difference of \$36,219 represents the grantee contribution and was computed on the basis of a "soft match," consisting of personnel contributed as governed by the Beaumont Police Department's operations and policies.

Because of the technology and equipment required and the methods for evaluation, it was evident that we could not successfully draw from our own police personnel the technical skills required to launch the project.

### Implementation

An educational systems and planning firm was contracted to design, implement, and evaluate the project. The firm assigned a project director who is now in the process of develop-

ing the training segments or "frames" while Chief Bauer and I are providing guidelines. Each frame will be a maximum of 3 minutes' transmission and will cover one of six major subject areas: Police-community relations, current criminal appellate decisions and their effect on law enforcement, city ordinances, traffic laws, and criminal investigation with emphasis on the offenses of burglary, robbery, narcotics, search and seizure, and the law of arrest. A total of at least 118 hours of training will be taped, broadcast, and evaluated in the project period.

### Objectives

The MODEL project has the following objectives:

- To determine the most effective police educational approach using the radio as a training medium.
- To develop taped training segments for broadcasting.
- To research and test broadcast material and determine such specifics as the amount of time required for learning, the type of support materials needed, the degree to which specifics can be used, and the general attitude of trainees toward the method.
- To determine minimum equipment requirements.
- To determine long-range operational costs.
- To train support personnel for continued operation following the term of contract.
- To develop the system adequately so that other interested departments or agencies can replicate.
- To determine the geographical limits of the training method.

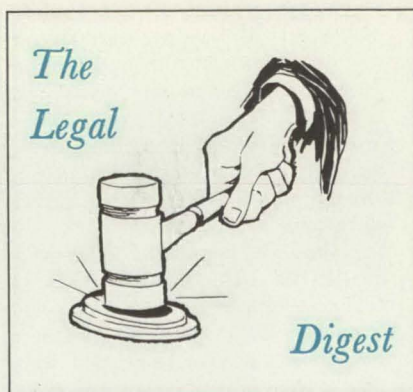
(Continued on page 31)



# Civil Authority

## To Arrest

### Military Deserters



#### PART II

(This is the conclusion of a two-part article.  
Part I appeared in the April issue.)

By  
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Federal Bureau of Investigation,  
Washington, D.C.

#### III. The Kurtz Case

**T**he case of *Kurtz v. Moffitt*, by which the question of civil authority to arrest military deserters reached the Supreme Court of the United States in 1885, involved the apprehension of Kurtz, an alleged Army deserter, by two police officers of San Francisco, Calif.<sup>15</sup> The officers arrested Kurtz, without any warrant or express authority, and held him for the purpose of delivery to military authorities to be tried according to the laws of the United States. He claimed immunity from arrest for a military offense by persons not military officers of the United States and having no ex-

press authority from the United States or from such officers to arrest him. The Supreme Court held that under existing law, and without the order or direction of a military officer, a peace officer or a private citizen had no authority as such to arrest or detain a deserter from the Army of the United States.

At the outset of its opinion, the Supreme Court declared that if a police officer or a private citizen had the right to arrest a military deserter without warrant or express authority, that right had to be derived either from some rule of the law of England which

had become part of our law or from the legislation of Congress.

As to the first of these two sources of the law, the Court said that it did not appear to have ever been the law of England that a peace officer or a private citizen could as such, and without any warrant or order either from a civil magistrate or from a military officer, lawfully arrest a deserter for the purpose of delivering him to military authorities for trial by court-martial.

In reaching this conclusion, the Court explained:



1. Under the common law of England, neither a civil officer nor a private person had the right without a warrant to make an arrest for a crime not committed in his presence except in the case of felony, and in such a case he could so do only for the purpose of bringing the offender before a civil magistrate.
2. No crime was considered a felony at common law which did not occasion a total forfeiture of the offender's lands, or goods, or both; and such a forfeiture did not follow upon conviction by a court-martial of a crime not punishable by the courts of common law.
3. Although desertion had once been made a felony punishable in the civil courts under early English statutes, those statutes fell into disuse after Parliament passed the original Mutiny Act of 1689. This act, for the first time, authorized desertion in time of peace to be punished by a court-martial.
4. The English Mutiny Acts from 1708 did contain provisions by which persons reasonably suspected of being deserters might be apprehended by a constable, but they had to be taken before a justice of the peace and the fact of their desertion established to his satisfaction before their surrender to military authorities. Although provisions were made in later mutiny acts for the apprehension of deserters by a military officer or soldier when a constable could not be immediately met with, it was at least an open question under these later laws whether a man whom a military officer caused to be apprehended as a deserter and delivered to an officer of the guard without having him brought before a civil magistrate might not maintain an action against the officer who caused his arrest.
5. In our country the common-law rule providing that a peace officer or a private person may arrest a felon without a warrant had been generally held to be in force by the courts of the several States of the Union in the cases of felony punishable by the civil tribunals. However, this rule had never, so far as the Court was informed, been judicially extended to the case of an offender against the military law punishable exclusively by court-martial.
6. The Penal Code of California contained provisions affirming the authority of a peace officer or a private person to make an arrest without a warrant "for a public offense committed or

**Law enforcement officers of other than Federal jurisdiction who are interested in any legal issue discussed in this article should consult their legal advisor. Some police procedures ruled permissible under Federal constitutional law are of questionable legality under State law, or are not permitted at all.**

attempted in his presence" as well as in cases of felony, and requiring the person arrested to be taken forthwith before a magistrate. But these provisions evidently had in view civil offenses only. If they could be construed to include such offenses against the United States, they certainly did not include offenses which are not triable and punishable except by court-martial.

After concluding that a civil officer or a private citizen could not arrest a deserter without a warrant or express authority by virtue of a right derived from a rule of the law of England which had become part of our law, the Court addressed itself to the question of whether either could arrest deserters under the second source, i.e., the legislation of Congress, but it found that such authority did not exist.

In reaching this conclusion, the Court noted:

1. The line between civil and military jurisdiction has always been maintained in the United States; and from the very year of the Declaration of Independence, Congress had dealt with desertion as exclusively a military offense, triable and punishable in time of peace as well as in time of war by court-martial only and not by civil tribunals.
2. The opening clause of the fifth amendment to the Constitution excepts "cases arising in the land or naval forces" from the grand jury indictment procedure required in a prosecution for a capital or otherwise infamous crime. Such cases were left subject to the rules for the government and regulation of the Armed

Forces, which Congress is empowered to make by virtue of its legislative authority under the Constitution. The armies of the United States were governed by the Articles of War ordained by Congress. Among them were articles on desertion providing that Army deserters were to be tried and punished upon conviction by court-martial. Courts-martial form no part of the judicial system of the United States, and their proceedings, within the limits of their jurisdiction, cannot be controlled or revised by the civil courts.

3. Congress had never conferred upon civil officers or magistrates, or private citizens, any power over offenders punishable only in a military tribunal. The Federal statute authorizing the arrest of offenders for any crime or offense against the United States by Federal and State judges and magistrates for trial in Federal court manifestly applied to proceedings before the civil courts only.<sup>14</sup>
4. There is no merit in the contention made by the San Francisco police officers that their authority to arrest Kurtz could be implied from the usage of offering rewards for the apprehension of deserters which has existed from an early date. Although the Congress of the Confederation had passed the resolve of May 31, 1786, authorizing the offer of a reward for deserters, Congress had not enacted any similar resolve or statute since the adoption of the Constitution. It did provide in Army appropriation acts for the apprehension, securing, and delivery of deserters and the expense incident to their pursuit, but these acts clearly conferred no authority upon any one, not otherwise lawfully authorized, to arrest a deserter.
5. The Army Regulations, deriving their force from the power of the President as Commander in Chief and binding upon all within the sphere of his legal and constitutional authority, for many years provided that a reward was to be paid to any person apprehending and delivering deserters to military authorities, but these regulations likewise could not be construed as undertaking to confer such authority. They did not command or authorize any civilian to arrest or detain deserters, but merely directed the payment of a reward for every deserter actually brought in, and justified the military authorities in paying the reward and receiving and holding the deserter.



Although the President's proclamation and order of March 10, 1863, in which he commanded all soldiers absent without leave to return to their regiments on pain of being arrested and punished as deserters and called upon all good citizens to aid in returning them, was issued under an act of Congress, that order was promulgated for a temporary purpose in time of war and the law authorizing it was thereafter repealed.

The Supreme Court brought its opinion to a close by stating:

"Upon full consideration of the question, and examination of the statutes, army regulations, and other authorities, cited in the elaborate argument for the respondents, or otherwise known to us, we are of opinion that by the existing law a peace officer or a private citizen has no authority as such, and without the order or direction of a military officer, to arrest or detain a deserter from the army of the United States. *Whether it is expedient for the public welfare and the good of the army that such an authority should be conferred is a matter for the determination of Congress.*" (Emphasis supplied.)

#### **IV. Deserter Apprehensions After Kurtz Case**

Five years after the *Kurtz* decision was handed down by the Supreme Court, Congress passed the Act of June 16, 1890, "to prevent desertions from the army," by which it authorized certain specified Federal and State law enforcement officers to apprehend Army deserters for the purpose of delivering them to military authorities.<sup>17</sup> Section 3 of the act provided:

"That United States marshals and their deputies, sheriffs and their deputies, constables, and police officers of towns and cities are hereby authorized to appre-

hend, arrest, and receive the surrender of any deserter from the Army for the purpose of delivering him to any person in the military service authorized to receive him."

Within 5 months Congress passed the Act of October 1, 1890, aimed at promoting the administration of justice in the Army, the broader terminology of which empowered "any civil officer . . . to summarily arrest a deserter from the military service," when such an officer was legally clothed with arrest authority.<sup>18</sup> Section 2 of this statute, which was re-enacted verbatim 8 years later in the Act of June 18, 1898,<sup>19</sup> read in full:

"That it shall be lawful for any civil officer having authority under the laws of the United States or of any State, Territory, or District, to arrest offenders, to summarily arrest a deserter from the military service of the United States and deliver him into the custody of the military authority of the General Government."

Thereafter, the summary arrest of deserters from the Navy or Marine Corps by civil officers for delivery to naval authorities was authorized by Congress by the Act of February 16, 1909.<sup>20</sup>

Today the law authorizing and controlling the apprehension by civil officers of deserters from all branches of the Armed Forces is set out in Article 8 of the Uniform Code of Military Justice.<sup>21</sup> This article, derived from the Act of October 1, 1890, and reenacting it in substantially the same language, provides as follows:

"Any civil officer having authority to apprehend offenders under the laws of the United States or of a State, Territory, Commonwealth, or possession, or the District of Columbia may sum-

marily apprehend a deserter from the armed forces and deliver him into the custody of those forces."

The general nature of deserter apprehensions effected by civil officers pursuant to the foregoing enactments of Congress has been considered on occasion by State and Federal civil courts in the course of case decisions involving violations of the ordinary criminal law.<sup>22</sup>

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***"Today the law authorizing and controlling the apprehension by civil officers of deserters from all branches of the Armed Forces is set out in Article 8 of the Uniform Code of Military Justice."***

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In a case decided by a Federal circuit court in 1900, the question arose as to whether the above Act of October 1, 1890, had deprived military personnel of the authority to make deserter arrests which they possessed prior to this statute's passage.<sup>23</sup> In this case a trooper was shot and killed by two soldiers of the guard when he attempted to escape from a fort in Nebraska where he was being held on a charge of desertion. Thereafter, the two soldiers, who had been ordered to apprehend the fleeing trooper, were charged with his murder in State court. In holding that military personnel retained their traditional authority to apprehend deserters after the promulgation of the statute, the court made the following general comment in regard to civil apprehensions:

"I do not think Congress, by giving permission to civil officers to make arrests of deserters, intended to take away the authority then existing to make such arrests on the part of the officers



of the army, but that *the act was intended to enable civil authorities to aid and assist the military in apprehending deserters.*" (Emphasis supplied.)

The provisions of the above Act of June 18, 1898, were construed by the Supreme Court of Missouri in 1909 in a murder case where the defendant was charged with the slaying of a State officer who had apprehended him for desertion.<sup>24</sup> The officer, who served as constable of Liberty township and city marshal of Richland in Pulaski County, Mo., had learned that the defendant was wanted by the Army for desertion by means of an Army notice addressed "To all whom it may concern," listing the defendant and other soldiers as deserters. This notice set out the provisions of the act and offered a reward of \$50 for each deserter taken into custody.

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***"... [C]lose cooperation between civil and military authorities in the effort to locate and apprehend deserters moving fast and far beyond the reach of the branches of the Armed Forces to which they belong is a categorical imperative."***

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The State officer located and apprehended the defendant in Camden County, Mo., but during a scuffle which took place while he was returning with his prisoner to Pulaski County, the latter grabbed his revolver and killed him.

Following the defendant's murder conviction in Camden Circuit Court, he appealed to the high court of Missouri on the ground, among others, that the officer had no authority to arrest him. The Missouri Supreme Court held, however, that the State officer had authority under the foregoing act to summarily arrest the defendant. After stating that the officer as constable was authorized by the law of Missouri to arrest persons

charged with crime in Pulaski County when armed with a warrant for that purpose, and without a warrant when the offense was committed in his presence, the court declared:

"It is clear from the act of Congress that the deceased had authority to summarily arrest the defendant, he being a deserter from the military service of the United States, and deliver him into the custody of the military authority of the Government. In making this arrest, the deceased was not acting as constable but as agent of the United States, and having power under the laws of this State to arrest offenders, he came within that class of persons referred to in the act of Congress as being authorized to arrest a deserter from the United States army, and he had authority, under said act, to make the arrest in any part of the State in which the defendant might be found. It is true that under the law of this State the constable had no authority to make the arrest without a warrant

therefor, but by the act of Congress, under which he acted, he was authorized to arrest the defendant without a warrant."

In a New York case decided by the appellate division of the supreme court in 1918, later affirmed without opinion by the court of appeals, it was held that the above statute did not apply to private detectives involved in the arrest and detention of an alleged Navy deserter because "not one of them was a civil officer."<sup>25</sup>

The general nature of the apprehension of military offenders by civil officers was considered also by the U.S. Court of Military Appeals in the course of a review by the high military court of a 1957 case involving the

arrest of a soldier by a State sheriff pursuant to a request of military authorities contained in a Department of Defense Form 553.<sup>26</sup> Acting on the request, the sheriff took the soldier into custody, confined him in the county jail, immediately telephoned the Army authorities, and was informed that the military police would remove the arrested soldier. The court stated:

"Military control can be exercised directly by military personnel, or, for certain purposes, indirectly, by civilian officials acting for and on behalf of the Armed Forces. When the military authorities issued an apprehension order, they, in effect, asked the civil authorities to detain the accused for them. A detention effected in accordance with such a notice is a detention on behalf of the military and under the authority granted by Congress for that purpose. In our opinion, it constitutes military control over the absentee for the purpose of terminating his absence. In fact it would appear that resistance to the apprehension or escape from the custody of the civil authority is a violation of the Uniform Code, Article 95."

## V. Conclusion

Although civil law enforcement officers may apprehend deserters from the Armed Forces under the authority first conferred upon them by Congress in 1890 and now codified in Article 8 of the Uniform Code of Military Justice, it goes without saying that they cannot exercise this authority in an arbitrary manner. The fundamental right to be immune from governmental restraint on mere suspicion of offending the standing laws is part of the alphabet of our jurisprudence and is shared by all Americans, those under the military as well as those under the civil law. The Uniform Code of Military Justice recognizes the traditional power of military personnel to arrest military offenders in article 7(b), but Congress, in enacting the code, has also declared in regard to the exercise of this authority that



Any person authorized under regulations governing the armed forces to apprehend persons subject to this chapter or to trial thereunder *may do so upon reasonable belief that an offense has been committed and that the person apprehended committed it.*" (Emphasis supplied.)

It follows that a civil officer, who acts for and on behalf of the military when he makes a deserter-apprehension pursuant to article 8 of the same congressional code, cannot do so on any less belief.<sup>28</sup>

In law and logic, therefore, although a civil officer is empowered by Congress to summarily apprehend a deserter from the Armed Forces without the issuance of a formal warrant of arrest and to deliver him into the custody of those forces without first bringing him before a committing magistrate, it is mandatory that he make the apprehension upon reasonable belief and effect the delivery of military authorities without unnecessary delay. The reasonableness of the belief and the necessity of the delay depend in a particular case, of course, upon its own peculiar facts and circumstances. For example, the requisite reliable information supporting an officer's belief that a person is a deserter may be ascertained from such sources as military authorities,<sup>29</sup> the officer's personal observations in the case at hand, and admissions made by the person involved.

A legal commentator, who wrote at the turn of the 19th century, characterized a clause in the early English mutiny acts providing that offenders against the military law could be apprehended by civil as well as military authorities as one "apparently of high propriety." This was so, he said, because:<sup>30</sup>

"[M]ilitary crimes are no less offences against the state, than civil delinquencies; and the most

perfect cooperation should take place between the two powers, for the enforcement of obedience to their respective laws."

This observation regarding desertion—once described by the high court of the Commonwealth of Massachusetts as "one of the gravest offenses known to the military law,"<sup>31</sup>—is as valid today as it was when it was made nearly two centuries ago. Indeed, it is even sounder, not only in its conformity with current law, but also in its application to the practical necessities of everyday life. The growth in size of the Armed Forces necessary for national security today has increased the number of potential deserters, and the availability and speed of transportation facilities have combined with a vast population and territory to aid immeasurably the flight and concealment of those who actually will to abandon the duty they owe to their country. Consequently, close cooperation between civil and military authorities in the effort to locate and apprehend deserters moving fast and far beyond the reach of the branches of the Armed Forces to which they belong is a categorical imperative.

#### FOOTNOTES

<sup>28</sup> 115 U.S. 487 (1885). Prior to *Kurtz*, a few State courts had ruled that civil officers had no authority to arrest deserters. See, in this connection, the interesting Civil War case of *Trask v. Payne*, 43 Barb. 569 (1865), where a New York court held that a deputy sheriff could not arrest an alleged Army deserter as a public officer and also could not arrest him as a "special provost marshal."

<sup>29</sup> See Donelan, *State Arrest for Federal Crime*, FBI Law Enforcement Bulletin (July 1971, p. 22), as to this law based on the Act of September 24, 1789.

<sup>17</sup> 26 Stat. 157 (1890).

<sup>18</sup> 26 Stat. 648 (1890).

<sup>19</sup> 30 Stat. 484 (1898).

<sup>20</sup> 35 Stat. 622 (1909).

<sup>21</sup> 10 U.S.C. 808.

<sup>22</sup> For discussions by Federal and State civil courts in the course of their decisions in deserter-connected cases, such as harboring, on the propriety of particular deserter-arrests, e.g., those effected on the basis of the customary Department of Defense Form 553, see *Michael v. United States*, 393 F. 2d 22 (1968); *United States v. Barber*, 300 F. Supp. 771 (1969); *Boatwright v. State*, 120 Miss. 883 (1919); *Belgalke v. United States*, 286 F. 2d 606 (1960); *People v. Ouellette*, 76 Cal. Rptr. 346 (1969); *Colon-Rios v. Perrin*, 306 F. Supp. 1314 (1969); and *Myers v. United States*, 415 F. 2d 318 (1969).

<sup>23</sup> *In re Fair*, 100 F. 149 (1900).

<sup>24</sup> *State v. Pritchett*, 219 Mo. 696 (1909).

<sup>25</sup> *People v. Hamilton*, 170 N.Y. Supp. 705 (1918); 280 N.Y. 577 (1920).

<sup>26</sup> *United States v. Garner*, 7 U.S.M.C.A. 578 (1957). Article 95 of the Uniform Code of Military Justice, 10 U.S.C. 859, mentioned in excerpt quoted above reads: "Any person subject to this chapter who resists apprehension or breaks arrest or who escapes from custody or confinement shall be punished as a court-martial may direct."

<sup>27</sup> 10 U.S.C. 807(a).

<sup>28</sup> See the Massachusetts case of *Town of Hanson v. Town of Scituate*, 115 Mass. 336 (1874), distinguishing a charge of desertion from an adjudication thereof by a court-martial.

<sup>29</sup> See "NCIC Newsletter" dated January 1972. Civil agencies presently in receipt of military notification (DD Form 553, DA Form 3545, or other correspondence) indicating an Army member is a deserter are advised to additionally inquire of the FBI National Crime Information Center (NCIC) to determine Army member's current status prior to apprehending the individual as an Army deserter. When a discrepancy exists between the written notification and the Army NCIC entry, or the individual's status as a deserter is in question, the civil agency should contact USADIP by calling Area Code 317, 542-3355, 542-3356, or 542-3357.

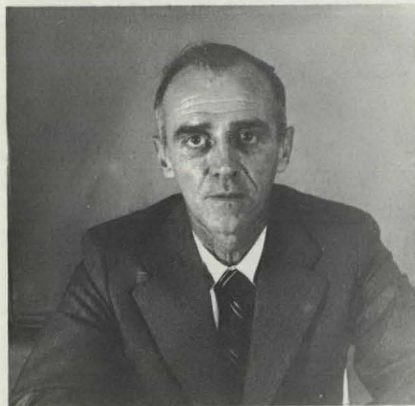
<sup>30</sup> A. Tytler, footnote 4 *supra*, 199-200.

<sup>31</sup> *Town of Hanson v. Town of Scituate*, *supra*.

## "TOP TEN" PROGRAM

The FBI's list of the "Ten Most Wanted Fugitives" was inaugurated to enlist public support in the continuing struggle against the underworld. About a third of the fugitives apprehended under this program have been caught as a result of information received from observant citizens. The "Ten Most Wanted Fugitives" list is composed of wanted individuals who have been charged with a violation of a Federal law within the FBI's investigative jurisdiction. The program affords nationwide publicity to these dangerous fugitives by a widespread and continuous distribution of their photographs and descriptions, together with graphic accounts of their heinous deeds. This service, made possible by the cooperation of the country's newspapers, magazines, and radio and television stations, has been an effective and potent weapon in the grim battle against crime.





By  
**LEO J. CASTLE\***  
Special Deputy Sheriff  
of Camden County,  
Camden, N.J.

**T**he well-trained bloodhound can be a valuable tool in law enforcement. He can save a department many man-hours by providing valuable leads in an investigation to locate a missing subject. This is an important factor in view of the increasing crime rate of today and the shortage of manpower in many departments.

The most frequent use of a hound is in locating missing subjects or in the apprehension of a fugitive. Some departments feel that this can only be accomplished in a rural area and that a hound has little value in an urban environment. This is a fallacy when a well-trained dog is used. Although trailing is much easier in areas

# ***BLOODHOUNDS:***

## **A Tool in Law Enforcement**

\*Mr. Castle, the owner of two bloodhounds, has been training dogs for the past 7 years. An active member of the National Police Bloodhounds Association, he works with the Camden County Sheriff's Office on cases involving lost children and the tracking and location of fugitives. He is a high school social studies teacher and has been teaching more than 20 years.





Shown with his son Joseph, Mr. Castle has trained these two bloodhounds, which he owns.

where few, if any, people or cars have been, and the percentage of finds may be lower in cities, a trained and experienced hound can have a high degree of success in urban areas.

### *Scent Article*

One of the key considerations in the use of a hound is the scent article. This article can be anything a subject has worn or touched. A pair of shoes is ideal as clothing might have been washed. In the absence of shoes, a jacket or any article recently touched by the subject has value, and even a doorknob, car seat, or known hiding place may be used. No one else should touch these objects or trample the area where the search is to begin so the hound can be given the best start. He associates the scent article with the scent on the ground.

### *Searching for a Lost Person*

In a search for a lost person, an important factor is the time element—how long it will take to have a hound on the scene. The department should check the immediate area, and if a hound is considered, the following procedure should be used:

First, secure a scent article, being careful not to handle it. A technique that works well is to place the article in a plastic bag immediately and tie it. Secondly, keep the area where the search is to begin clear to prevent trampling and obliterating any pertinent scents. A trained hound will work an area after a search party, but he should be given the best possible conditions. It is vital to the success of the search that the person in charge determine where the subject was last seen in order that the animal may associate the scent article with the trail.

The department should assign several men with walkie-talkies to accompany the handler. It is important, particularly in rural areas, that someone familiar with the terrain be part of the search party. The men assigned to accompany the handler should be physically fit because many trails are long and exhausting.

### *Searching for a Fugitive*

In a search for a fugitive, a starting point should be established and a scent article present. The area should be secured to give the hound the best possible trail. It is important to have armed officers with the handler since he will be completely occupied studying the hound. Since some subjects, realizing they are being trailed, will attempt to circle or double back, it is imperative that the officers be alert. Depending upon the wind velocity and



whether he is downwind, the hound will respond to this maneuver by leaving the original trail.

### ***Investigative Uses***

Another use of the bloodhound is in developing investigative leads. An example of this is investigation of repeated vandalism in a community. The hound could get a scent from stones used to break windows or from the immediate area of damage outside a home. He may lead officers to a home away from the scene. Neighborhood youngsters might become hesitant about acts of vandalism if they are aware of the availability of a hound.

The same deterrent effect might result in the case of a "peeping Tom" in a given area. This type of offender could be deterred by the knowledge that a hound might trace his identity from the scene of his activities.

A hound can also save manpower in a department. If a search situation develops, a good hound can often do the work of many men. His use might spare a number of officers from working one investigation at the expense of other police responsibilities to the community. Some trails take hours to work, and this must be taken into consideration when assigning personnel to a search. It is also important to consider that all men cannot work behind a hound. One must move at the hound's pace; rest periods for the men might seem desirable, but often these would be detrimental to the hound's progress in the search.

### ***Cold Trails***

A trained hound's advantage is his ability to follow a trail several days old. In the past a hound has successfully followed a trail 5 days old. The determining factors are the terrain being searched and the type of weather during the interim. Heavy rain or high winds over a long period of time would



Mr. "Jersey" Joe Walcott, Sheriff of Camden County.

be an obstacle. However, there should be no hesitation about using a hound in an urban area following a lapse of 24 hours after a disappearance. The hound will communicate to the handler and make the determination as to whether a scent is present or not. This understanding of the hound's behavior is gained after many hours of observation by the trainer under varied conditions. The sooner the hound is on the scene, the more effective he will be.

### ***Volunteer Search Parties***

Volunteer search parties should be commended for their self-sacrificing attitude, but these untrained groups are prone to injury and they sometimes pose time-consuming organizational problems. A department, instead, should compare the availability of a hound with the time involved in organizing a search party. In critical situations time is of the essence and the subject should be found as quickly as possible. The hound is working entirely on scent, not sight, and he has been trained to use his sense of smell. Rough terrain, water, and thickets will not deter the hound while they may a human. An untrained person might walk around a thicket, while the subject could be lying in it; or the

searcher might theorize as to what subject did or did not do. The hound will not be guilty of theorizing. He has been trained to follow a scent with the expectation of being rewarded when successful and will pursue that goal relentlessly.

The hound's ability to follow a scent from the area of a crime to the identification of a subject has been accepted by courts in various States as admissible evidence. A department should keep training and search records to prove the reliability of a hound and his scenting ability.

### ***Training of the Bloodhound***

Owning a hound may be advantageous for some departments while access to one when needed is better for others. The department that decides to have its own must be prepared to release a man several hours a day to work and train the young hound. It is always best to start with a young hound, 8 to 10 weeks old, so the trainer can study his moves and get to know him.

It is advisable to select a pup from man-trailing stock of a reputable breeder or a department that is breeding young hounds to replace old ones. These departments are breeding because they have good trackers and want to preserve the line.

The training period will probably take more than a year before the handler can place complete confidence in the ability of the hound. Training trails in the early stages should be straight and short. The pup must learn that using his sense of smell will gain him a reward. He must never be allowed to fail even if he must be led to his quarry. At feeding time the pup should be held while another person hides in the yard with his food; then the hound should be permitted to run in search of the food. The pup must be encouraged until he locates the person with the food. When the hound



comes quite proficient, he should be taken to the country for longer trails but straight ones.

It is best to have someone the pup knows run off and hide. The hound should be allowed to see the person leave, but not where he hides. The pup must be encouraged while he looks for the person and should be rewarded each time there is a find. The young hound is now learning to use the sense of smell and seeks a reward for a job well done.

The most difficult phase of training is the use of different scent articles. It is best to start with a shoe. The hound must learn to associate the scent on the ground with the same scent in the shoe. A trainer should use a harness leash for the hound, never a choker chain since the chain could restrict his breathing. The hound must have freedom of movement. A 10- or 12-foot leash is recommended.

At this point, you can have your quarry-imitator make a few turns, but you should know the locations of these changes in direction. When the hound reaches a turn, slow down and give him time to work it out. Never permit yourself or the hound to get discouraged. If he does not succeed at first, you must remember the pup is young and must be disciplined to learn. The hound has the sense of smell, but he must be trained to use it for the specific purpose of man-trailing. The handler must be a patient individual, as this type of dog is sensitive. Training takes time, patience, and complete confidence in one's hound.

### *Training in Urban Areas*

After the hound succeeds in a rural setting, the training sessions can be transferred to an urban area. The trails must be simple at first because the hound is being subjected to different circumstances—concrete, asphalt, car fumes, noises, and many people. The hound must be disciplined

to concentrate on the scent and not be distracted or concede defeat.

The method of identifying the person being trailed depends upon the handler. Some handlers prefer the hound to jump on the quarry; others want the hound to stand in front of the quarry when located. The hound is not vicious by nature, but the handler cannot predict his reaction to a desperate or terror-stricken person, particularly a child frightened by the sight of a large animal straining at the leash. The handler will have to exercise caution and good judgment in such situations. If a situation should arise in training where the handler decides not to allow the hound to complete the trail, he should let him see that the quarry-imitator has been located and praise the hound.

A demonstration for school children, civic groups, or other departments is a valuable training session for the hound and excellent public relations. The people will see firsthand that the hound is not vicious but is searching for a person to receive a reward.

### *Follow Hound's Instincts*

An illustration of the negative use of a hound is shown in the case of a lost subject who is mentally and physically handicapped. He had wandered away during a day's outing in the woods with several other youngsters. An immediate search of the area was made by the person in charge. After several hours of futile searching, he summoned a hound. Individuals close to the subject felt he

**Time, patience, and confidence are the keys to working with a hound. The handler must allow the trained dog to lead.**





was incapable of traveling a great distance and had a phobia about entering high weeds. They felt that the subject would stay on a trail and not enter the deep woods.

Darkness was approaching when the hound was scented with a jacket belonging to the subject. The animal started to trail at once over the same route the group had taken and after a distance turned from the trail to head in another direction. At this point, there was some question concerning the subject's physical limitations and the distance covered. The hound turned from the trail a second time at the same location and entered the deep brush and weeds. This was completely contrary to the subject's habits. The handler took the hound off the trail and returned to the starting point for another run.

The handler was guilty of listening to theories about the subject and had not put his confidence in the hound. The hound was 30 yards from the subject at the point he left the trail. The subject was later found unharmed, but he had spent unnecessary time in the woods. The hound was right, but humans were attempting to theorize behavior that, because of the circumstances, was unpredictable.

The hound can be a valuable tool in law enforcement. He cannot replace an officer, nor can he solve all crimes of today. Department officials should know the capabilities and limitations of a hound so that when the need arises they will not hesitate to use one. His use is not limited to making finds, and he can be of positive assistance in developing investigative leads in a case. A trained hound might eliminate a detailed search of an area and focus attention on other possibilities. He uses a sense of smell unavailable and uncomprehensible to humans. If a lost child is found, the considerable patience, time, and energy necessary to train a good bloodhound are well repaid. (FBI)

## STRIKE FORCE

(Continued from page 5)

they ever did under the seven-digit numbers. We are sending cars out, as I stated before, on one-third more service calls than we did in the prior year. Statistics indicate that many of these runs are false alarms, but we feel that the mere fact the cars are dispatched possibly deters the activity if, in fact, it was going to be a criminal act.

Routine patrol by marked police units and the availability of police units to answer calls for service from citizens in the community are two elements of good police service. We feel that we have made definite progress in providing this service to the citizens of Omaha. (FBI)

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## CENTRALIZATION

(Continued from page 9)

### Training

The department's training section has a multifaceted responsibility—providing cadet, inservice, supervisory, and firearms training for all commissioned personnel. In addition, the section provides cadet, inservice, supervisory, and instructor training for cities and towns that do not have training facilities. Much of the training costs are reimbursed to municipalities through the police officer training fund, which is partially supported by grants from the Law Enforcement Assistance Administration (LEAA) and through a levy on criminal fines.

All training programs conducted within the State are under the sanction of the Arizona Law Enforcement Officers Advisory Council.

The Phoenix office of the FBI has provided well-qualified and highly trained instructors who have devoted many hours in support of the training

function. These technically trained personnel have helped us develop a solid core for our teaching cadre.

The training programs will be further expanded during 1972 to include middle management and executive development training seminars.

### Communications

The communications section has the specific statutory responsibility for providing a rapid exchange of criminal information. This demands a communications linkage with all local agencies, other States' agencies, and the Federal Government. The section provides modern, reliable, and secure operations in the transmitting and receiving of criminal information by using the advanced technology available in the communications field. The National Relay Center for the Law Enforcement Telecommunications System is located within this section at the Phoenix headquarters of the Department of Public Safety. An increase in the operational capacity in insuring accurate, rapid, complete, and easily accessible information for all components of the criminal justice community is the main objective of our communications section.

The operation of the communications section is dependent upon the implementation of plans developed by the engineering staff of the technical communications division. A statewide communications plan, funded by the LEAA, serves as a guide for the development of the comprehensive communications and information system.

The technical communications division is developing recommendations for both immediate and long-range improvements. An immediate step is to determine the economical and technological feasibility of the integration of existing and proposed criminal justice networks in the Arizona Criminal Justice Information and Communications systems.



## Computer Services

Closely related to any communications effort are electronic data processing and computerization. The largest on-line application of the department's computer is the ACIC. This system provides Arizona law enforcement agencies the capability of rapid response to inquiries on stolen vehicles, wanted and missing persons, accident victims, and those individuals in custody.

As the information and communications systems are expanded, the other components of the criminal justice community will have access to needed information via on-line terminals. With the Department of Public Safety's technological assistance, a Phoenix metropolitan areawide telecommunications network will be developed to serve most criminal justice agencies within the county, pending a grant approval from LEAA. This proposed system will be interfaced with ACIC/NCIC and will be compatible with the statewide communications plan.

## Statewide Coverage

To improve the effectiveness of law enforcement, we have interfaced our computer with the files of the FBI NCIC in Washington, D.C. This interface provides nationwide information on stolen property, guns, securities, wanted persons, and stolen vehicles. One inquiry from a local law enforcement agency checks both ACIC and NCIC files. To achieve statewide coverage, we have placed terminals and direct lines in all the department's district offices, the Phoenix, Tucson, Scottsdale, and Glendale Police Departments, the Maricopa and Pima County Sheriff's Offices, and Arizona State University. In addition, the Texas Department of Public Safety has a direct terminal to the ACIC system. These terminals are directly in-

terfaced with the system and provide the means for inquiry, updating, and canceling items in both files. The statewide plan calls for the future placement of terminals in all municipalities and county seats and includes all components of the criminal justice community, such as police, courts and prosecutors, corrections agencies, and adult and juvenile probation and parole offices.

## Conclusion

The department is actively involved in the State's total effort in both the law enforcement field and the highway safety field by serving on both the State Justice Planning Agency's Council and the Highway Safety Executive Committee.

The Department of Public Safety has made significant progress toward its goal of more service for the law enforcement community. The department has structured its immediate and long-range planning to fulfill the ultimate goal of competent service, increased highway safety, and detection and prevention of crime. FBI

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## MODEL

*(Continued from page 20)*

## Air-Time Study

We made a study of "key" time for the Beaumont Police Department and discovered that during the average 8-hour watch, there are 50 minutes of air time used both to and from the base station. We concluded from this study that there is time available for on-duty patrolmen to listen to the training broadcasts, especially during preventive patrol. Also, we determined on which days of the week routine radio traffic is heavy and no MODEL broadcast should be attempted. As a result, the programs will be set up on a 5-day-a-week basis.

We have 51 mobile units in which we plan to install one-way receivers. There will be no way to turn them "off," but they will each have a volume control in the event radio noise from a police car should become a problem during an assignment requiring silence.

The training broadcasts will last no longer than 3 minutes each, and there will be a minimum of three broadcasts an hour. A timing device will be installed in the system to activate the tape on a schedule predetermined by the dispatcher and training officer. Also, a killer circuit will freeze transmission from the training station whenever the main police transmitter is keyed in the event a regular police broadcast becomes necessary during the training. If there are no necessary interruptions from the regular police band, the officers will hear the program.

## Operational Plans

With the project well underway, detailed plans of operation have developed. This has involved a concentrated probe into operational characteristics of the department, established training procedures, and the educational level of officers with regard to background, certification, and so forth. Initial material has been assimilated for test tapes, and electronic equipment is being tested and considered, with attention focused on service, economy, and practicality.

At the conclusion of the 26-month project, the contracted firm will document and release reports on the results of the Beaumont, Tex., MODEL undertaking. We have had inquiries from several police departments, both large and small, that are anxious to take advantage of what promises to be an effective and economical police training innovation. FBI



# WANTED BY THE FBI



Fingerprint classification... 24 O 31 W 100  
I 27 W OIO

## Caution

Carmichael has been convicted of burglary, interstate transportation of a stolen motor vehicle, attempted breaking and entering, armed robbery, assault to murder, assault and battery, larceny of an auto, and kidnaping. He reportedly has been armed previously with rifles and pistols and should be considered extremely dangerous.

## Notify The FBI

Any person having information which might assist in locating this fugitive is requested to notify immediately the Director of the Federal Bureau of Investigation, U.S. Department of Justice, Washington, D.C. 20535, or the Special Agent in Charge of the nearest FBI field office, the telephone number of which appears on the first page of most local directories.

**GUSTAVOUS LEE CARMICHAEL, also known as: James L. Billotte, Jr., Jack Bougher, James Leroy Burns, James Leroy Byrne, Frank J. Howard, David Keating, Frank Powers, David Harold Skaggs, Shawn Liam Thompson, and others.**

**Escaped Federal Prisoner; Assaulting Federal Officer; Theft of Government Property; Unlawful Possession or Receipt of Firearms; Bank Robbery**

Gustavous Lee Carmichael is being sought by the FBI on charges of escape, assaulting a Federal officer, theft of Government property, and unlawful possession or receipt of firearms. A Federal warrant for his arrest in connection with the above charges was issued on October 29, 1970, at Hartford, Conn. In addition, another Federal warrant was issued on May 14, 1971, at Trenton, N.J., charging Carmichael with the December 22, 1970, armed robbery of the First National Bank of Hamilton Square, Mercerville, N.J.

## The Crime

It is alleged that on October 5, 1970, while being transported to the Federal District Court, Hartford, Conn., for sentencing on bank robbery charges, Carmichael and a co-defendant, who was subsequently apprehended, escaped from their handcuffs,

assaulted a deputy marshal and a guard, and obtained custody of the deputy's weapon. Thereafter, Carmichael and his companion reportedly shackled the deputy, guard, and a third prisoner to a tree, and escaped.

## Description

Age-----	25, born Aug. 3, 1946, Atlanta, Ga.
Height-----	5 feet 6 inches to 5 feet 7 inches.
Weight-----	140 to 150 pounds.
Build-----	Medium.
Hair-----	Reddish blond.
Eyes-----	Hazel.
Complexion---	Fair.
Race-----	White.
Nationality---	American.
Scars and marks-----	Scar left side of forehead; scar inside left hand; middle, ring, and little finger deformed on left hand; scar tip right index finger.
Occupations---	Clerk, house painter, laborer, welder.
FBI No-----	10,963 F.

*NCIC Weekly Status  
Bishop to Detroit 2/12/72*  
**ONLY MINUTES AWAY—  
REGARDLESS OF DISTANCE**

Recently, at 3:45 in the afternoon, the Baltimore County Police Department entered the names of two subjects charged with complicity in a murder into the FBI's National Crime Information Center (NCIC) Wanted Persons File. Thirty-five minutes later, at 4:20 p.m., the Indiana State Police stopped a vehicle bearing Ohio plates based on a report that its occupants had failed to pay a gasoline bill at a service station. An NCIC check identified the driver as one of the Baltimore entries. A further check determined that the other occupant of the car was identical with the second subject sought in the murder case.



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## Visitor From New Scotland Yard



Sir John Waldron, Commissioner, Metropolitan Police, New Scotland Yard, London, England, was recently greeted by and exchanged mementos with Director J. Edgar Hoover during a visit to FBI Headquarters.



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## INTERESTING PATTERN



The loop-type pattern illustrated here is rather unusual because of its extremely high ridge count of 41. It is interesting as both the core and the delta are well within the area fingerprinted.